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SUBJECT: VIETNAM SIGNS ANTI-TIP COOPERATION MOU WITH THAILAND

REFS: 07 HANOI 1594 ("Vietnam to Draft New TIP Law, Improve Inter-Agency Cooperation")

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SUMMARY

1. (SBU) On March 24, the Government of Vietnam (GVN) signed a Memorandum of Understanding (MOU) with the Royal Thai Government (RTG) on strengthening cooperation between the two countries on eliminating trafficking in persons (TIP) and providing assistance to TIP victims. According to Senior Lieutenant Colonel Le Van Chuong, Chief of the GVN's National Steering Committee on anti-TIP, the signing of the MOU was "necessary and important" for both Vietnam and Thailand. Chuong said it expressed the two countries' determination to crack down on well-known Vietnamese and Thai criminal networks trafficking women and children from Vietnam to brothels in Thailand or for transit to a third country. The long-awaited agreement also seeks to prevent the exploitation of illegal migrants coming to Thailand from Vietnam. The MOU, which follows on similar anti-TIP MOUs the GVN signed with Cambodia (2005) and China (2006) respectively, was praised by the International Organization for Migration (IOM) in Hanoi. End Summary.

THE MOU's NUTS AND BOLTS

2. (SBU) On the occasion of the Thai Prime Minister's official visit to Vietnam on March 24, Vietnamese Vice Minister of Public Security Le The Tien together with his Thai counterpart signed a state-level MOU on bilateral cooperation for suppressing crimes of trafficking in persons and assisting victims of trafficking. The MOU specifies measures that both sides will undertake to eliminate TIP, including necessary legal reform to ensure that the countries' legal frameworks conform with the Universal Declaration of Human Rights, the UN Convention on the Rights of the Child, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other international human rights instruments which both sides have ratified. The MOU also establishes procedures the two countries will take to help TIP victims return to their home country and reintegrate into the community.

3. (SBU) According to the MOU, each side will designate an implementing agency. The implementing agency for Vietnam will be the Ministry of Public Security and, for Thailand, the Ministry of Social Development and Human Security. A task force including representatives from both sides will be established to initiate strategies, guidelines and other necessary frameworks to implement the agreement; to make recommendations for coordination measures; to monitor and assess the implementation of the agreement; and to review implementation of the MOU every five years.

14. (SBU) Talking about the newly-signed MOU, Senior Lieutenant Colonel Nguyen Van Chuong, Chief of the GVN's National Steering Committee on anti-TIP said that after the GVN signed an MOU with Cambodia in October 2005, it became necessary for Vietnam to sign one with Thailand as well, as Thailand is characterized as a transit and destination country for trafficked Vietnamese women and children. In addition, according to Chuong, the number of illegal Vietnamese workers coming to work in Thailand has increased recently, and these illegal workers are usually forced to work "very hard under poor working conditions."

NGOs HOLD HOPE AND CONCERN

15. (SBU) Mr. Nguyen Quoc Nam, TIP specialist at the International Organization of Migration (IOM) in Hanoi, agreed with Chuong. With this agreement with Thailand, Vietnam is making serious efforts to prevent criminal gangs from Vietnam and Thailand from continuing to traffic Vietnamese women and children to Thailand and other countries, Nam said. He noted that it was good that the agreement established specific assistance measures by the two countries for repatriating TIP victims and helping them reintegrate into the community.

16. (SBU) The Asia Foundation (TAF) in Vietnam took a more cautious view of the MOU. TIP Program Manager To Kim Lien said she doubted the feasibility of the implementation of the agreement, noting the limited results of the implementation of the widely criticized Vietnam-Cambodia MOU signed in October 2005. According to Lien, the Cambodia side has not seriously implemented the MOU signed with Vietnam, leading to very limited cooperative results.

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COMMENT: GVN PRESSES AHEAD

17. (SBU) Together with the GVN's ongoing effort to draft a new and comprehensive anti-TIP law and other interagency initiatives called for under the June 2007 anti-TIP Directive 16 (Reftel), the signing of an MOU with Thailand demonstrates the GVN's determination to crack down on human traffickers not only nationally but also trans-nationally. Beyond preventing illegal Vietnamese workers from being exploited in other countries, the MOU also provides for protection of TIP victims and help for them to reintegrate into the community. While lack of implementation by Cambodian authorities limited the effectiveness of that MOU, if similar problems can be avoided in this MOU with Thailand this is likely to be a more effective mechanism to address TIP issues.

18. (U) This cable was coordinated with ConGen HCMC.

MICHALAK